

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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Civil #05-4004(GEB)

ETONIC WORLDWIDE, LLC,

Plaintiff,

VS

ORDER OF DISMISSAL

KINETIC SPORTS, INC., et al.,

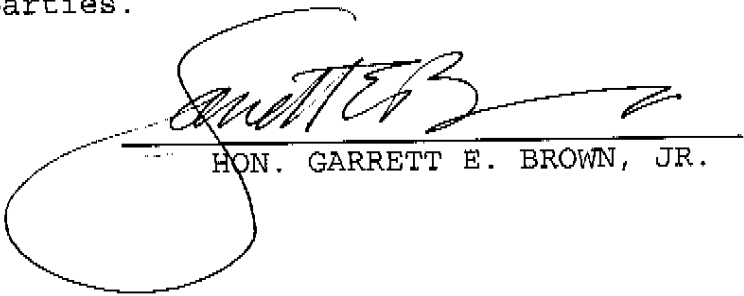
Defendants.

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IT APPEARING that it has been reported to the Court that the above action has been settled;

IT IS, THEREFORE, on this 23<sup>RD</sup> day of JANUARY, 2006, ORDERED that this action is hereby dismissed, without costs and without prejudice to the right, upon good cause shown within SIXTY (60) days, to reopen the action if the settlement is not consummated; and

If any party shall move to set aside this Order of Dismissal as provided in the first decretal paragraph or pursuant to the provisions of Fed.R. Civ.P. 60(b), in deciding such motion the Court retains jurisdiction of the matter to the extent necessary to enforce the terms and conditions of any settlement entered into between the parties.

  
HON. GARRETT E. BROWN, JR.

RECEIVED

JAN 24 2006

11:30  
WILLIAM T. WALSH  
CLERK